

Application for United States Patent
Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**BUSINESS SYSTEM AND METHOD FOR A VIRTUAL POINT OF SALE SYSTEM
 IN A RETAIL STORE**

(check is attached hereto
 one)
 was filed on _____ as
 Application Serial No. _____
 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).*

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
<u>None</u> (Number)	<u> </u> yes no
<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u> (Application Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status: patented, pending, abandoned)
---	--	---

Power of Attorney: As a named inventor, I hereby appoint Richard M. Ludwin, Reg. No. 33,010, Kevin M. Jordan, Reg. No. 40,277, Christopher A. Hughes, Reg. No. 26,914, John E. Hoel, Reg. No. 26,279, Joseph C. Redmond, Jr., Reg. No. 18,753, Douglas W. Cameron, Reg. No. 31,596, Wan Ye Cheung, Reg. No. 42,410, Thu Ann Dang, Reg. No. 41,544, Louis P. Herzberg, Reg. No. 41,500, Derek S. Jennings, Reg. No. 41,473, Stephen C. Kaufman, Reg. No. 29,551, Daniel P. Morris, Reg. No. 32,053, Alison D. Mortinger, Reg. No. 39,306, Louis J. Percello, Reg. No. 33,206, Robert M. Trepp, Reg. No. 25,933, Gail H. Zarick, Reg. No. 43,303, and Rafael Perez-Pineiro, Reg. No. 46,041, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to Whitham, Curtis & Christofferson, PC, 11491 Sunset Hills Road, Suite 340, Reston, Virginia 20190. Telephone calls should be directed to Whitham, Curtis & Christofferson, PC at (703) 778-9400. *Please associate this application with customer number 30743.*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor: Todd C. Werden

Signature: Todd C. Werden

Date 10/31/03

Residence: 14 Founders Lane, Sandy Hook, Connecticut 06482

Citizenship: US

Post Office Address: Same As Residence

Title 37, Code of Federal Regulations, §1.56(a):

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

NOV 04 '03 11:04 FR 00-IBM YORKTOWN

914 945 4073 TO 917033919035

P.02/02

NOV-04-03 11:16 FROM-

T-831 P.001/002 F-875

YOR920030558US1 (00280760AA)

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re patent application of

Todd C. Werden

Serial No.: Not Assigned

Group Art Unit: Not Assigned

Filed: Concurrently

Examiner: Not Assigned

For: BUSINESS SYSTEM AND METHOD FOR A VIRTUAL POINT OF SALE SYSTEM
IN A RETAIL STORE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

APPOINTMENT OF ASSOCIATE ATTORNEY

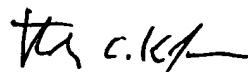
Sir:

Please recognize C. Lamont Whitham, Reg. No. 22,424; Michael E. Whitham, Reg. No. 32,635; Marshall M. Curtis, Reg. No. 33,138; and Clyde R Christofferson, Reg. No. 34,138 of Whitham, Curtis & Christofferson, P.C., 11491 Sunset Hills Road, Suite 340, Reston, Virginia 22191, (703) 787-9400; as associate attorneys with full power to prosecute, inspect, and transact all business concerning the above-identified patent application, including the filing of amendments, continuation applications, divisional applications and continuation-in-part applications.

Please direct all official communications to:

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190
(703) 787-9400
Customer No.: 30743

Respectfully submitted,



Stephen C. Kaufman
Reg. No. 29,551
(914) 945-3197

IBM CORPORATION
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598
Fax: (914) 945-3281